

REMARKS

Applicant respectfully requests reconsideration and allowance in view of the following remarks.

Applicant thanks the Examiner for the courtesy of the personal interview on May 26, 2004.

The Examiner rejects Claims 1, 11-21 and 31-40 under 35 USC 102(b) as being anticipated by Saito et al. The Examiner further rejects Claims 2-10, 22-30 and 69-70 under 35 USC 103(a) as being unpatentable over Saito et al. in view of Saitou (EP 0690296). The Examiner still further rejects Claim 71 under 35 USC 103(a) as being unpatentable over Saito et al. in view of Saitou, as applied to Claims 1-40 and 69-70, and further in view of Suga. Applicant respectfully traverses these rejections.

As was discussed at the interview, the methods and apparatus claimed by the present invention are directed to a sensor that includes a ferromagnetic layer, a nonmagnetic conducting layer, and a magnetoresistive layer that has non-zero magnetostriction such that a resistance of the magnetoresistive layer will change upon the application of pressure.

As was agreed to by the Examiner at the interview, the Saito sensor senses magnetic field, not pressure, and as such is simply inapplicable. Further, Saito does not have a magnetoresistive layer with non-zero magnetostriction. As such, Saito clearly does not teach or suggest the claimed inventions.

It was raised for the first time at the interview that the apparatus claims, in contrast to the method claims, that the phrase "will change upon the application of pressure" in the claims are not limiting. To the extent that such position is maintained, applicant disagrees. The phrase "will change upon the application of pressure" further limits the sensor to a type of sensor that will sense a change of resistance upon the application of pressure, as expressly recited, and requires that the structure be adapted for the application of pressure. A such, the prior art accordingly must also teach sensing a change of resistance upon the application of pressure and be adapted for the application of pressure.

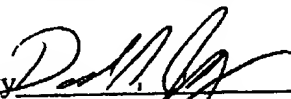
With respect to the rejection combining Saito and Saitou, applicant respectfully asserts that one of ordinary skill in the art would not have been motivated to combine Saito and Saitou,

and, even if such combination were made, the patentable features of the present invention do not result. And with respect to the rejection of claim 71 based upon Saito, Saitou and Suga, not only do the above arguments apply, but also, one of ordinary skill would not have been motivated to combine these three references in the manner suggested by the Examiner, as there are no teachings in them to so, other than applicant's specification. Further, even if combined, the presently claimed invention does not result.

All objections and rejections having been addressed, and in view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, she is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted

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REPLY TO CUSTOMER NO. 27498